



County of Orange

# MEMO

**DATE:** November 29, 1999

**TO:** File/Record/Applicant

**FROM:** Thomas B. Mathews, Director, Planning and Development Services

**SUBJECT:** PROJECT NUMBER PA99-0166; Lots 7-11, Tentative Tract 15631, Planning Area 1, Ladera Ranch Planned Community; Brookfield Homes, Applicant

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## I. NATURE OF PROJECT:

An Administrative Site Development Permit for the establishment of a model sales complex for the sale of residential dwelling units approved under Tentative Tract 15631 in Planning Area 1 of the Ladera Ranch Planned Community. The project site is located on lots 7 through 11 of the tract.

The model complex is located off Sienna Parkway, Skyway and "B" Street of Tract 15631, north of Crown Valley Parkway. The models occupy lots 9, 10, and 11 with the parking lot on lots 7 and 8. The project includes; temporary parking for 10 cars, a sales office located in the garage of plan 1 on lot 9, trap fencing, pennant flags (a maximum of ten is permitted) and model sales signage. It shall be noted that all proposed hardscapes and landscapes must be designed in a manner that surface water will flow to the street without encumbrance.

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## II. REFERENCE

Ladera Ranch Planned Community Development Regulations  
The project is categorically exempt from CEQA (Class 3)

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## III. CERTIFICATION

I hereby certify that the subject proposal has been Conditionally approved as noted below.

Thomas B. Mathews

By: \_\_\_\_\_  
C. M. Shoemaker, Chief  
Site Planning Section

Date: \_\_\_\_\_

Appendices:

A. Findings for Planning Application PA99-0166

B. Conditions of Approval for Planning Application PA99-0166

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## Appendix A

### Findings

### PA990166

1	<b>GENERAL PLAN</b>	<b>PA990166</b>
That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.		
2	<b>ZONING</b>	<b>PA990166</b>
That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.		
3	<b>COMPATIBILITY</b>	<b>PA990166</b>
That the location, size, design and operating characteristics of the proposed use will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.		
4	<b>GENERAL WELFARE</b>	<b>PA990166</b>
That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.		
5	<b>PUBLIC FACILITIES</b>	<b>PA990166</b>
That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).		
6	<b>CATEGORICALLY EXEMPT</b>	<b>PA990166 (Custom)</b>
Find that the proposed project is Categorically Exempt (Class 3) from the provisions of CEQA.		
7	<b>MODELS</b>	<b>PA990166</b>
That the operation of the real estate office and associated activities will not conflict with adjacent and nearby residents.		
8	<b>CIRCULATION</b>	<b>PA990166 (Custom)</b>
The access, parking and circulation facilities will not result in excess traffic congestion or traffic safety hazards.		



## Appendix B

### Conditions of Approval

#### PA990166

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<b>1 CP CP NA</b>	<b>BASIC/ZONING REG</b>	<b>PA990166</b>
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This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

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<b>2 CP CP NA</b>	<b>BASIC/TIME LIMIT</b>	<b>PA990166</b>
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This approval is valid for a period of 24 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

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<b>3 CP CP NA</b>	<b>BASIC/PRECISE PLAN</b>	<b>PA990166</b>
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Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

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<b>4 CP CP NA</b>	<b>BASIC/COMPLIANCE</b>	<b>PA990166</b>
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Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

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<b>5 CP CP NA</b>	<b>BASIC/OBLIGATIONS</b>	<b>PA990166</b>
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Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

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<b>6 CP CP NA</b>	<b>BASIC/APPEAL EXACTIONS</b>	<b>PA990166</b>
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Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

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<b>7 SG SG R</b>	<b>DRAINAGE STUDY</b>	<b>PA990166 (Custom)</b>
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Prior to the recordation of any final tract map, the following drainage studies shall be submitted to and approved by the Manager, Subdivision and Grading:

- A. A drainage study of the subdivision including diversions, off-site areas that drain

onto and/or through the subdivision, and justification of any diversions; and

B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and

C. Detailed drainage studies indicating how the tract map grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood

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**8 SG SG R DRAINAGE IMPROVEMENTS PA990166 (Custom)**

A. Prior to the recordation of any final tract map, the applicant shall in a manner meeting the approval of the Manager, Subdivision and Grading:

- 1) Design provisions for surface drainage; and
- 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and
- 3) Dedicate the associated easements to the County of Orange, if determined necessary.

**SG C RU DRAINAGE IMPROVEMENTS**

B. Prior to the recordation of any final tract map or prior to the issuance of any certificates of use and occupancy, whichever occurs first, said improvements shall be constructed in a manner meeting the approval of the Manager, Construction.

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**9 SG SG R DRAINAGE OFFSITE PA990166 (Custom)**  
**SG SG RG DRAINAGE OFFSITE**

Prior to the recordation of any final tract map, and if determined necessary by the Manager, Subdivision and Grading, a letter of consent, in a form approved by the Manager, Subdivision and Grading, suitable for recording, shall be obtained from the upstream and/or downstream property owners permitting drainage diversions and/or unnatural concentrations.

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**10 F F RBU FIRE HYDRANTS PA990166 (Custom)**

A. Prior to the recordation of the final map, the applicant shall submit a fire hydrant location plan for the review and approval of the Fire Chief.

B. Prior to the issuance of a building permit, the applicant shall submit to the Fire Chief evidence of the on-site fire hydrant system and indicate whether it is public or private. If the system is private, the system shall be reviewed and approved by the Fire Chief prior to issuance of the building permit. Provisions shall be made by the applicant for the repair and maintenance of the system, in a manner meeting the approval of the Fire Chief.

C. Prior to the issuance of any certificate of use and occupancy, all fire hydrants shall have a blue reflective pavement marker indicating the fire hydrant location on the street or drive per the Orange County Fire Authority Standard as approved by the Fire Chief. These markers are

to be maintained in good condition by the property owner.

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**11 F F B WATER AVAILABILITY PA990166**

Prior to the issuance of a building permit, the applicant shall provide evidence of adequate fire flow. The Orange County Fire Authority Water Availability for Fire Protection form shall be signed by the applicable water district and submitted for approval to the Orange County Fire Authority. If sufficient water to meet fire flow requirements is not available, an automatic fire extinguishing system may be required in each structure affected by the insufficient fire flow.

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**12 F F RBU AUTOMATIC FIRE SPRINKLER PA990166**

A. Prior to the recordation of a subdivision map, a note shall be placed on the map stating that all commercial structures over 6,000 square feet; all multifamily residential structures; all detached, single-family structures exceeding 5,500 square feet, and, all structures exceeding Fire Authority access requirements shall be protected by an automatic sprinkler system, in a manner meeting the approval of the Fire Chief.

B. Prior to the issuance of a building permit, the applicant shall submit plans for any required automatic fire sprinkler system in any structure to the OCFA for review and approval.

C. Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

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**13 F F RB FIRE ACCESS ROADS PA990166 (Custom)**

A. Residential: Prior to recordation of a subdivision map, the applicant shall obtain approval of the Fire Chief for all fire protection access easements and shall dedicate them to the County.

B. Residential and Commercial: Prior to issuance of any building permits, the applicant shall submit and obtain approval of plans for all roads, streets and courts, public or private, from the Fire Chief in consultation with the Manager, Subdivision and Grading Services. The plans shall include the plan view, sectional view, and indicate the grade and width of the street or court measured flow line to flow line. All proposed fire apparatus turnarounds shall be clearly marked when a dead-end street exceeds 150 feet or when otherwise required. Applicable CC&R's, or other approved documents, shall contain provisions which prohibit obstructions such as speed bumps/humps, control gates or other modifications within said easement without prior approval of the Fire Chief.

C. Street Signs.

A note shall be placed on the fire protection access easement plan indicating that all street/road signs shall be designed and maintained to be either internally or externally illuminated in a manner meeting the approval of the Fire Chief.

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**14 F F BU STREET MARKINGS PA990166**

A. Prior to the issuance of a building permit, the applicant shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbing and signage. A drawing of the proposed signage with the height, stroke and color of lettering and the contrasting background color shall be submitted to and approved by the Fire Chief.

B. Prior to issuance of any certificate of use and occupancy, the fire lanes shall be installed in

accordance with the approved fire lane plan in a manner meeting the approval of the Fire Chief. The CC&R's, or other approved documents, shall contain a fire lane map and provisions which prohibit parking in the fire lanes. The method of enforcement shall be documented.

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**15 F F R FIRE HAZARD NOTIFICATION PA990166 (Custom)**

A. State Responsibility Areas. Prior to recordation of a subdivision map, the subdivider shall place a note on the map meeting the approval of the Fire Chief that the property is in a "(High/Very High) Fire Hazard Area" due to wildland exposure based on State SRA maps.

D. Special Fire Protection Area Conditional Exclusion. Prior to recordation of any final tract map, the subdivider shall place a note on the map meeting the approval of the Fire Chief that the property is "Conditionally Excluded" from a "Special Fire Protection Areas", and shall identify lots/buildings which are subject to construction features of the Orange County Ordinance 3960.

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**16 F F B FUEL MODIFICATION PA990166 (Custom)**

A. If determined necessary by the Fire Chief, prior to the issuance of any building permit, the applicant shall obtain the approval of the Fire Chief, in consultation with the Managers, Environmental and Project Planning Services, Current Planning Services, and Subdivision and Grading Services of a precise fuel modification plan and program. The plan shall indicate the proposed means of achieving an acceptable level of risk to the structures by vegetation.

B. If determined necessary by the Fire Chief, prior to the issuance of a building permit, the developer shall have completed, under the supervision of the Fire Chief, that portion of the approved fuel modification plan determined to be necessary by the Fire Chief before the introduction of any combustible materials into the project area. Approval shall be subject to on-site inspection.

C. If determined necessary by the Fire Chief, prior to the issuance of any certificate of use and occupancy, the fuel modification shall be installed and completed under the supervision of the Fire Chief. Further, the installed fuel modification plant pallet shall be established to a degree meeting the approval of the Fire Chief. The CC&R's, or other approved documents, shall contain provisions for maintaining the fuel modification zones including the removal of all dead and dying vegetation subject to triennial inspections.

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**17 F F B COMBUSTIBLE CONSTRUCTION LETTER PA990166**

Prior to the issuance of a building permit for combustible construction, the builder shall submit a letter to the Fire Chief on company letterhead stating that water for fire-fighting purposes and the all weather fire protection access roads shall be in place and operational before any combustible material is placed on-site.

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**18 SG SG G GEOLOGY REPORT PA990166**

Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the Grading Manual.

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**19 CP CP MODEL HOME COMPLEX PA990166 (Custom)**

A. Within ninety (90) days after the termination of the use of the subject property as a model home complex and real estate sales office, the applicant shall remove, relocate or revise the parking lot, signs, all temporary fencing, the sales office and the model homes as necessary to

comply with the current applicable zoning regulations.

B. The use approved by this action shall expire two (2) years from the issuance of the temporary certificate of use and occupancy. Applicant may apply for one (1) one-year extension for this permit.

C. A maximum of ten (10) on-site pennants are permitted in connection with the model home sales use.

D. No sign shall be posted or placed on public or private property advertising or directing people to the development which is the subject of this permit, unless such sign is allowed by all applicable permits and is expressly permitted by written consent of the property owner. It is expressly understood and accepted by the applicant that this condition is applicable to any sign advertising or directing people to the development, regardless of whether the applicant directly posted or placed the sign in question.

E. The model home sales office shall be used solely for the first sale of dwelling units approved under this permit.

TTM/TPM Approval:  
Do not apply.

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**20 SG SG B ROAD FEE PROGRAM PA990166 (Custom)**

Prior to the issuance of building permits, the applicant shall pay fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, Subdivision and Grading.

a. Foothill/Eastern Transportation Corridor

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**21 SG SG B SIGHT DISTANCE PA990166 (Custom)**

Prior to the issuance of any building permits, the applicant shall provide adequate sight distance at all street intersections per Standard Plan 1117, in a manner meeting the approval of the Manager, Subdivision and Grading. This includes any necessary revisions to the plan such as removing slopes or other encroachments from the limited use area.

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**22 SG SG B DEAD END PARKING AISLE PA990166 (Custom)**

Prior to issuance of any building permits, the applicant shall provide a turn around area in the dead end parking aisle, in a manner meeting the approval of the Manager, Subdivision and Grading.

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**23 SG SG B POLLUTANT RUNOFF PA990166 (Custom)**

Prior to issuance of building permits, the applicant shall submit and obtain approval from Manager, Subdivision and Grading, of a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used on-site to control predictable pollutant runoff. This WQMP shall identify, at a minimum, the routine, structural and non-structural measures specified in the Countywide NPDES Drainage Area Management Plan (DAMP) Appendix which details implementation of BMPs whenever they are applicable to a project, the assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, maintenance association, lessee, etc.); and, shall reference the location(s) of structural BMPs.



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**24 SP SP B PHASING PLAN PA990166 (Custom)**

Prior to the issuance of any building permits, the applicant shall submit a Tract Phasing Plan to the Manager, PFRD, Construction, Special Projects for approval. The phasing plan shall include the Dwelling Unit construction phasing for Tentative Tract 15631.

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**25 CPP CPP G ENCROACHMENT PERMIT PA990166 (Custom)**

Prior to the issuance of any building permits, the applicant shall submit an application for an Encroachment Permit to and approved by the Manager, County Property Permits for any structures located within county road right-of-way.

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**26 CP CP B DEVELOPMENT REGULATION  
DEVIATION PA990166 (Custom)**

Prior to the issuance of certificates of use and occupancy for residents, the applicant shall submit evidence to the Manager, Current Planning services, that the structure meets all development regulations with relationship to the property line boundaries as depicted on the final recorded map.